



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

SM

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,384	01/21/2004	Thomas A. Pfeifer	3540-010	4864

7590 12/16/2004

Charlene R. Jacobsen
Meschkow & Gresham, PLC
Suite 409
5727 North Seventh Street
Phoenix, AZ 85014

EXAMINER

IZAGUIRRE, ISMAEL

ART UNIT	PAPER NUMBER
----------	--------------

3765

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/762,384

Applicant(s)

PFEIFER, THOMAS A.

Examiner

Ismael Izaguirre

Art Unit

3765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 24-27 is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 10, 18, 19 and 21 is/are rejected.
- 7) ☒ Claim(s) 5, 7-9, 11-17, 20, 22 and 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/21/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

CLAIMS

Summary

Claims 1,18 and 24 are the independent claims under consideration in this Office Action.

Claims 2-17, 19-23 and 25-27 are the dependent claims under consideration in this Office Action.

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4,18 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Maag (6,631,688) in view of Smith (4,470,361).

Maag discloses the invention substantially as claimed. Maag teaches a quilting table for use with a quilting sewing machine. The quilting table including a support structure for supporting the sewing machine 12, the rail system 18, 19,20 and 84 (figures 2 and 4, for example) for allowing the sewing machine to move in accordance with a pattern, and a material support 10 (figure 2) for supporting multiple layers of material for quilting upon at least three fabric supporting bars 32, 34 and 36. The quilting apparatus

Art Unit: 3765

including a frame 16 and a first pair of opposing rails 18 and 20 for accommodating grooved wheels 50 of the sewing machine support for movement along the longitudinal length of the table and a second pair of rails 94 (figure 5) for supporting and moving the sewing machine in a lateral direction of the table. The grooved wheels ride on the rails and are positively engaged due to such grooves. However, Maag does not suggest the rails being formed of box channel rails for engaging with the wheels.

Smith teaches a sewing apparatus including a sewing machine 50 movable to and fro for sewing a material. The material 13 is fed to the sewing machine by use of rollers and the sewing machine is movable on rails 16 (figure 6, for example) which comprise box channel rails having at least three supporting sides for accommodating wheels 60 within the box periphery.

It would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to construct the rails of Maag as including box channel rails for accommodating the movement wheels. Providing such rails would assure that the material is not somehow pinched between the wheels and rails by accident and assures the positive engagement of the grooved wheels onto the rails.

Claims 6, 10 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Maag, as modified by Smith above, and further in view of Reed et al. (4,192,241).

Maag discloses the invention substantially as claimed. Maag teaches a quilting table for use with a quilting sewing machine. The quilting table including a support structure for supporting the sewing machine 12, the rail system 18, 19, 20 and 84 (figures 2 and 4, for example) for allowing the sewing machine to move in accordance with a

Art Unit: 3765

pattern, and a material support 10 (figure 2) for supporting multiple layers of material for quilting upon at least three fabric supporting bars 32, 34 and 36. The quilting apparatus including a frame 16 and a first pair of opposing rails 18 and 20 for accommodating grooved wheels 50 of the sewing machine support for movement along the longitudinal length of the table and a second pair of rails 94 (figure 5) for supporting and moving the sewing machine in a lateral direction of the table. The grooved wheels ride on the rails and are positively engaged due to such grooves. The sewing machine including handles placed on the support for gripping and moving the sewing machine on the apparatus and the material is held on cylindrical pay out and take up bars. However, Maag does not suggest the handle being placed on the front of the sewing machine and the payout and take up bars as including rectangular cross sections.

Reed et al. teach a sewing apparatus including a sewing machine 14 movable to and fro for sewing a material. The material is fed to the sewing machine by wrapping the material onto pay out and take up rollers. Reed et al. teach the pay out and take-up rollers as including a rectangular cross-section.

It would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to construct the rails of Maag, as modified by Smith above, as including pay out and take up bars with rectangular or square cross sections. Providing such a cross section would provide a more positive grip on the covering of the rod or the fabric material itself. The corners of the "box-like" cross sections would provide the proper grip on rod sleeve or material.

ALLOWABLE SUBJECT MATTER

Claims 24-27 are allowable over the prior art of record.

Claims 5,7-9,11-17,20,22 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

PERTINENT CITATIONS

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Boettcher and Badger illustrate quilting machines and rail systems for providing patterns on the materials being quilted. Schwarzberger et al., and Tajima et al. illustrate sewing machine frames including extruded box members.

INQUIRIES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Izaguirre whose telephone number is (571) 272-4987. The examiner can normally be reached on M-F (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Calvert can be reached on (571) 272-4983. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3765

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ismael Izaguirre
Primary Examiner
Art Unit 3765

II
12/13/04